

**FILED**

OCT 15 2024

CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
BY *[Signature]* DEPUTY

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION**

MARK ANTHONY ORTEGA

Plaintiff,

v.

CARLOS HERRERA and FUNDCUBE INC.  
D/B/A FUNDQUBE,

Defendants.

**Case No. SA-24-CV-00769-XR**

**PROOF OF SERVICE**

I, Mark Anthony Ortega, Plaintiff in the above-entitled action, declare under penalty of perjury under the laws of the United States of America that the following is true and correct:

On September 3, 2024, pursuant to the Court's Order Granting Motion for Alternative Service (ECF No. 7), which states,

"Plaintiff is also **DIRECTED** to send a copy of the Summons, First Amended Complaint, and this Order by certified mail to 1207 13th ST, Imperial Beach, CA 91932,"

I mailed a true and correct copy of the Summons, First Amended Complaint, and Order for Alternate Service to the following parties by Certified Mail with Electronic Delivery Confirmation, addressed as follows:

- Carlos Herrera  
1207 13th St.  
Imperial Beach, CA 91932
- FundCube, Inc.  
D/B/A Fundcube  
1207 13th St.  
Imperial Beach, CA 91932

Copies of the certified mail delivery receipts are attached hereto as Exhibits 1 and 2.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: September 29, 2024

Respectfully submitted,

Mark Anthony Ortega  
Plaintiff, Pro Se

By: 

mortega@utexas.edu

PO Box 702099

San Antonio, TX 78270

Telephone: (210) 744-9663

# **EXHIBIT 1**

Electronic Delivery Confirmation™

USPS CERTIFIED MAIL™

Mark Anthony Ortega  
PO BOX 702099  
SAN ANTONIO TX 78270-2099

**\$7.16 US POSTAGE**  
FIRST-CLASS  
Sep 03 2024  
Mailed from ZIP 97230  
4 OZ FIRST-CLASS MAIL FLATS RATE  
ZONE 5  
11923275



062S0010282493

USPS CERTIFIED MAIL



9407 1118 9876 5489 7036 21

FundCube Inc  
D/B/A Fundcube  
1207 13TH ST  
IMPERIAL BCH CA 91932-3610



Reference

USPS #

USPS Mail Class

USPS Status

USPS History

9407111898765489703621

Certified with Electronic Delivery Confirmation

Your item was delivered to an individual at the address at 10:24 am on September 9, 2024 in IMPERIAL BEACH, CA 91932.

In Transit to Next Facility, 09/07/2024

Arrived at USPS Regional Destination Facility, 09/06/2024, 6:03 pm, SAN DIEGO CA DISTRIBUTION CENTER

Arrived at USPS Origin Facility, 09/05/2024, 2:07 am, PORTLAND, OR 97215

Accepted at USPS Origin Facility, September 5, 2024, 12:52 am, PORTLAND, OR 97230

Shipping Label Created, USPS Awaiting Item, 09/03/2024, 4:13 pm, PORTLAND, OR 97230

Electronic Delivery Confirmation Report © 2024 Certified Mail Envelopes, Inc. All rights reserved.

The data collected for this mail label was authored and reported by The United States Postal Service USPS. Copies are available from your Post Office or online at [www.USPS.com](http://www.USPS.com). USPS Certified Mail™ is a registered trademark of The United States Postal Service. All rights reserved.

Report Design Copyright 2024 Certified Mail Envelopes, Inc. [www.Certified-Mail-Labels.com](http://www.Certified-Mail-Labels.com) [www.Certified-Mail-Envelopes.com](http://www.Certified-Mail-Envelopes.com)

Date Verified: 09/10/2024 06:40:40 (UTC)

## **EXHIBIT 2**

Electronic Delivery Confirmation™

USPS CERTIFIED MAIL™

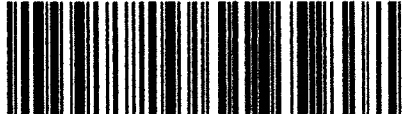
Mark Anthony Ortega  
PO BOX 702099  
SAN ANTONIO TX 78270-2099

**\$7.16 US POSTAGE**  
FIRST-CLASS  
Sep 03 2024  
Mailed from ZIP 97230  
4 OZ FIRST-CLASS MAIL FLATS RATE  
ZONE 5  
11923275



062S0010937442

USPS CERTIFIED MAIL



9407 1118 9876 5489 7091 66

Carlos Herrera  
1207 13TH ST  
IMPERIAL BCH CA 91932-3610



Reference

USPS #

9407111898765489709166

USPS Mail Class

Certified with Electronic Delivery Confirmation

USPS Status

Your item was delivered to an individual at the address at 10:24 am on September 9, 2024 in IMPERIAL BEACH, CA 91932.

USPS History

In Transit to Next Facility, 09/07/2024

Arrived at USPS Regional Destination Facility, 09/06/2024, 6:03 pm, SAN DIEGO CA DISTRIBUTION CENTER

Arrived at USPS Origin Facility, 09/05/2024, 2:07 am, PORTLAND, OR 97215

Accepted at USPS Origin Facility, September 5, 2024, 12:52 am, PORTLAND, OR 97230

Shipping Label Created, USPS Awaiting Item, 09/03/2024, 4:11 pm, PORTLAND, OR 97230

Electronic Delivery Confirmation Report © 2024 Certified Mail Envelopes, Inc. All rights reserved.

The data collected for this mail label was authored and reported by The United States Postal Service USPS. Copies are available from your Post Office or online at [www.USPS.com](http://www.USPS.com). USPS Certified Mail™ is a registered trademark of The United States Postal Service. All rights reserved.

Report Design Copyright 2024 Certified Mail Envelopes, Inc. [www.Certified-Mail-Labels.com](http://www.Certified-Mail-Labels.com) [www.Certified-Mail-Envelopes.com](http://www.Certified-Mail-Envelopes.com)

Date Verified: 09/10/2024 06:40:59 (UTC)

# UNITED STATES DISTRICT COURT

for the  
WESTERN DISTRICT OF TEXAS, SAN ANTONIO DIVISION

**MARK ANTHONY ORTEGA**

*Plaintiff*

v.

**CARLOS HERRERA AND FUNDCUBE INC. D/B/A  
FUNDQUBE,**

*Defendant*

Civil Action No. 5:24-CV-00769-XR

## AFFIDAVIT OF SERVICE

I, Rosangela Castillo, state:

I am not a party to or interested in the outcome of this suit.

I received the following documents on September 24, 2024, at 4:26 pm. I delivered these documents to FundQube Inc. in San Diego County, CA on September 25, 2024 at 9:31 am at 1207 13th Street, Imperial Beach, CA 91932 by posting the documents in a conspicuous place at the premises.

Order for Alternative Service  
Summons  
Amended Complaint  
Cover Sheet

Additional Description:

No answer at the door, no cars in the driveway either. Documents got posted on the property gate.

Geolocation of Serve: <https://google.com/maps?q=32.5746883439,-117.1055336245>

Photograph: See Exhibit 1

My name is Rosangela Castillo, my date of birth is 7/22/1999, and my address is 470 Third Ave, 5, Chula Vista, CA 91910, and USA.

I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE UNITED STATES OF AMERICA THAT THE FACTS HEREIN ARE TRUE AND CORRECT.

Executed in

San Diego County,

CA on 9/27/2024.

/s/ Rosangela Castillo

Rosangela Castillo

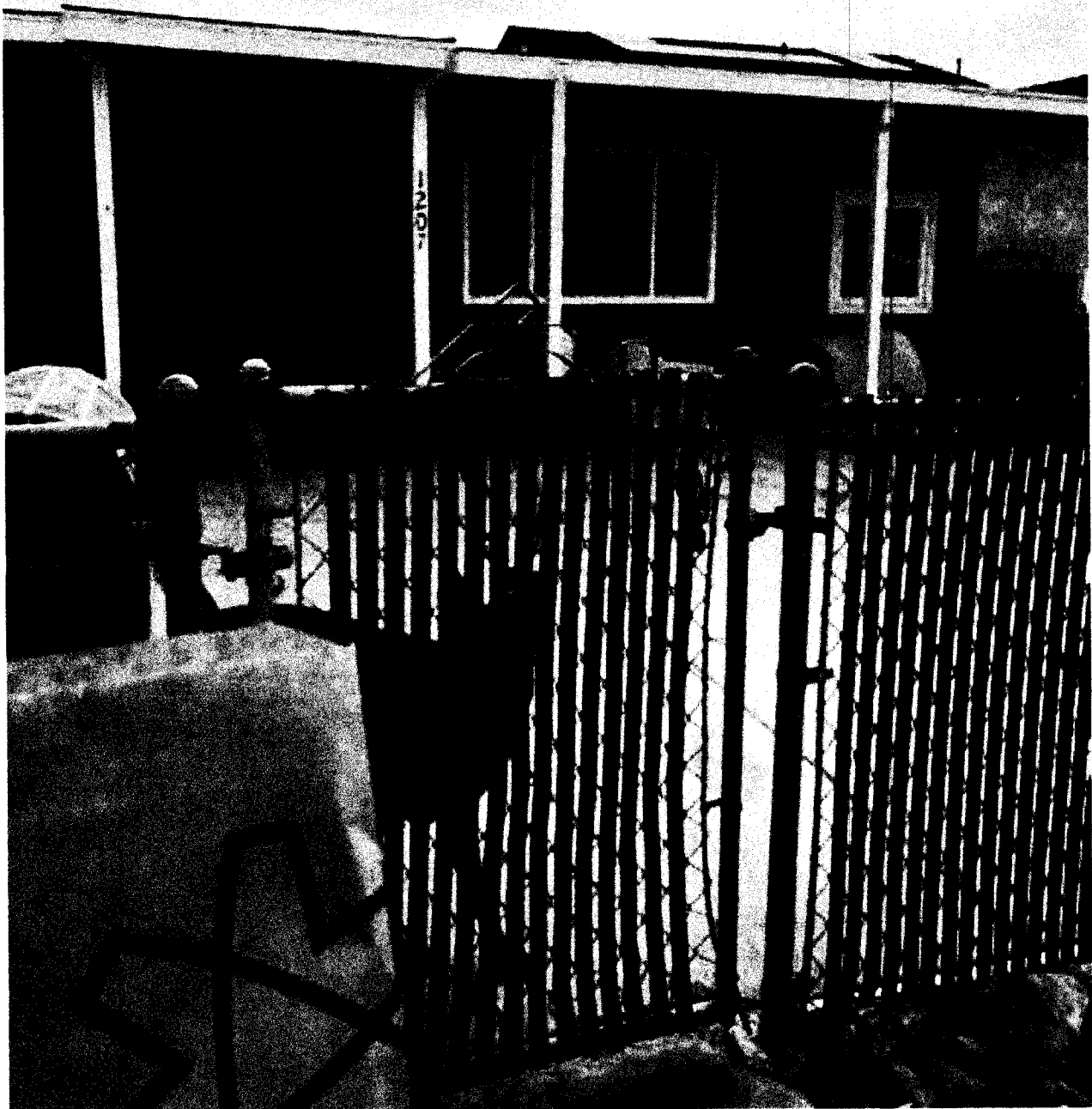
+1 (619) 904-1002

Certification Number: 3669

Expiration Date: 3/13/2025



Exhibit 1a)



# UNITED STATES DISTRICT COURT

for the  
WESTERN DISTRICT OF TEXAS, SAN ANTONIO DIVISION

**MARK ANTHONY ORTEGA**

*Plaintiff*

v.

**CARLOS HERRERA AND FUNDCUBE INC. D/B/A  
FUNDCUBE,**

*Defendant*

Civil Action No. 5:24-CV-00769-XR

## AFFIDAVIT OF SERVICE

I, Rosangela Castillo, state:

I am not a party to or interested in the outcome of this suit.

I received the following documents on September 24, 2024, at 4:26 pm. I delivered these documents to Carlos Herrera in San Diego County, CA on September 25, 2024 at 9:33 am at 1207 13th Street, Imperial Beach, CA 91932 by posting the documents in a conspicuous place at the premises.

Order for Alternative Service  
Summons  
Amended Complaint  
Cover Sheet

Additional Description:

No answer at the door, no cars in the driveway either. Documents got posted on the property gate.

Geolocation of Serve: <https://google.com/maps?q=32.5746754897,-117.1055171357>

Photograph: See Exhibit 1

My name is Rosangela Castillo, my date of birth is 7/22/1999, and my address is 470 Third Ave, 5, Chula Vista, CA 91910, and USA.

I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE UNITED STATES OF AMERICA THAT THE FACTS HEREIN ARE TRUE AND CORRECT.

Executed in

San Diego County,

CA on 9/27/2024.

*/s/ Rosangela Castillo*

Rosangela Castillo

+1 (619) 904-1002

Certification Number: 3669

Expiration Date: 3/13/2025

Exhibit 1a)





Mark Ortega  
PO Box 702094  
San Antonio, TX 78270

U.S. MARSHALS  
H-E-1-100  
OCT 5 1 2024  
FEDERAL BUREAU OF INVESTIGATION  
SAN ANTONIO, TX

RECEIVED  
OCT 1 6 2024  
CLERK, U.S. DISTRICT COURT  
SAN ANTONIO, TEXAS  
BY [Signature]  
SAUTY

U.S. District Clerk's Office  
262 West Nueva Street, Room 1-400  
San Antonio, Texas 78207

(P-4)